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**From:** Bradfish, Larry [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CC7D6886AC1D46B19137244A517F457F-LBRADFIS]  
**Sent:** 11/15/2017 7:21:29 PM  
**To:** Alasti, Isabella@DTSC [Isabella.Alasti@dtsc.ca.gov]; MacNicholl, Peter@DTSC [Peter.MacNicholl@dtsc.ca.gov]; Keller, Lynn [Keller.Lynn@epa.gov]  
**CC:** Christopher Fennessy [christopher.fennessy@Rocket.com]; MacDonald, Alex@Waterboards [Alex.MacDonald@waterboards.ca.gov]; Beckman, William@DTSC [William.Beckman@dtsc.ca.gov]  
**Subject:** RE: Area 40 Remedy Decision Documentation Approach

EPA is flexible in this approach. I think we can work something out that spells out the roles and responsibilities of the agencies without getting into an extremely formal arrangement.

Larry Bradfish  
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**From:** Alasti, Isabella@DTSC [mailto:Isabella.Alasti@dtsc.ca.gov]  
**Sent:** Wednesday, November 15, 2017 11:05 AM  
**To:** MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>; Keller, Lynn <Keller.Lynn@epa.gov>; Bradfish, Larry <Bradfish.Larry@epa.gov>  
**Cc:** Christopher Fennessy <christopher.fennessy@Rocket.com>; MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>; Beckman, William@DTSC <William.Beckman@dtsc.ca.gov>  
**Subject:** RE: Area 40 Remedy Decision Documentation Approach

I do understand EPA's position, I was just trying to make it easier to move forward since I'm not sure EPA has an agreement-type doc to use as a model for this type of situation. More to come I guess.

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**From:** MacNicholl, Peter@DTSC  
**Sent:** Wednesday, November 15, 2017 11:02 AM  
**To:** Keller, Lynn <Keller.Lynn@epa.gov>; Bradfish, Larry <Bradfish.Larry@epa.gov>; Alasti, Isabella@DTSC <Isabella.Alasti@dtsc.ca.gov>  
**Cc:** Christopher Fennessy <christopher.fennessy@Rocket.com>; MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>; Beckman, William@DTSC <William.Beckman@dtsc.ca.gov>  
**Subject:** RE: Area 40 Remedy Decision Documentation Approach

I'm sorry EPA feels this sentiment. This was the best option identified by the State because Isabella had previously talked with James Wolford (EPA Superfund Director) directly about this possibility at a conference recently. Wolford's message was that a State/EPA Agreement to officially transfer regulatory authority at a Superfund Site was not a possibility. The EPA needs to identify how you'd like to document this proposed pathway.

Main thing is USEPA needs to be on board with the remedial alternatives and RAP document and not hinder any progress at the 11<sup>th</sup> hour due to technical, administrative, managerial issues. Regards.



**Peter MacNicholl, P.E.**

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**From:** Keller, Lynn [<mailto:Keller.Lynn@epa.gov>]

**Sent:** Wednesday, November 15, 2017 10:44 AM

**To:** Bradfish, Larry <[Bradfish.Larry@epa.gov](mailto:Bradfish.Larry@epa.gov)>; MacNicholl, Peter@DTSC <[Peter.MacNicholl@dtsc.ca.gov](mailto:Peter.MacNicholl@dtsc.ca.gov)>

**Cc:** Christopher Fennessy <[christopher.fennessy@Rocket.com](mailto:christopher.fennessy@Rocket.com)>; MacDonald, Alex@Waterboards <[Alex.MacDonald@waterboards.ca.gov](mailto:Alex.MacDonald@waterboards.ca.gov)>

**Subject:** Fwd: Area 40 Remedy Decision Documentation Approach

Thanks, Pete. Larry and I discussed this development this morning.

Both Larry and I object to just a comfort letter from EPA to AR. There are too many moving parts and changing personnel to have an informal agreement in place, and EPA will ultimately have to deal with any mismanagement, confusion in roles and responsibilities, or lack of agreement on remedy that will prohibit site closure. I don't feel comfortable just issuing a comfort letter to AR without an EPA-State agreement detailing the process and roles each agency will play in the transfer and cleanup of Area 40. Regardless of the format of the transfer agreement, I think it needs to be signed by EPA and the State to illustrate that we agree on the way forward. I'll attend the call at 3 if I can, but Larry Bradfish will for sure.

Thanks,  
Lynn

Begin forwarded message:

**From:** "MacNicholl, Peter@DTSC" <[Peter.MacNicholl@dtsc.ca.gov](mailto:Peter.MacNicholl@dtsc.ca.gov)>

**Date:** November 15, 2017 at 10:23:51 PST

**To:** "Keller, Lynn" <[Keller.Lynn@epa.gov](mailto:Keller.Lynn@epa.gov)>

**Subject:** FW: Area 40 Remedy Decision Documentation Approach

FYI

-----Original Appointment-----

**From:** Alasti, Isabella@DTSC

**Sent:** Wednesday, November 15, 2017 9:56 AM

**To:** Fennessy, Christopher

**Cc:** Larry Bradfish; Hobel, Lawrence; MacNicholl, Peter@DTSC

**Subject:** Declined: Area 40 Remedy Decision Documentation Approach

**When:** Wednesday, November 15, 2017 3:00 PM-3:30 PM (UTC-08:00) Pacific Time (US & Canada).

**Where:** Conference Call 1-888-669-2803, 3433910#

I'm sorry Chris, but I'm out after 11 today, and I'll be back the 27<sup>th</sup>. I did leave Larry Bradfish a v.m. that DTSC is able to proceed with the order. It's really going to be on EPA/Aerojet as to how the NPL approval part will be managed. Of course we all want to be consistent and on the same page, but as DTSC discussed internally, we think that it's doable. And fyi, from my understanding there is no MOU that has been done in these circumstances, but maybe a comfort-type letter from EPA would do the trick?

Sorry I've been a bit unavailable, but after starting the 27<sup>th</sup> I'm not going anywhere for a while.

Isabella